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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,407	11/05/2001	Hirota Sasaki	05225.0213	1784

7590 10/08/2004

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EXAMINER

TRAN, THUY VAN

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/890,407

Applicant(s)

SASAKI, HIROTADA

Examiner

Thuy v. Tran

Art Unit

3652

NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-5 is/are allowed.
- 6) ☒ Claim(s) 1, 6, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 7-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 5, 2004 has been entered.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by DE 498,917 A (DE '917).

DE '917 discloses an elevator emergency stop device for an elevator cage guided on a guide rail, comprising a wedge-shaped element movable relative to the elevator cage to effect an emergency stop of the cage by frictional force by means of a contact face of a sliding part (a), Fig. 2, thereof being pressed against the guide rail (D), wherein the wedge shaped element comprises a fixed part (b) and a movable part (C), the movable part being movable relative to the fixed part in a direction having a component parallel to the guide rail, such that a dimension of the wedge shaped element in the direction perpendicular to the contact face is changed in accordance to the breaking force to maintain the breaking force at a substantially constant level.

Re claim 10, the movable part is movable relative to the fixed part in an oblique direction (along surface m) relative to the guide rail.

Claims 1, 6, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by SU 659503 A (SU '503).

SU '503 discloses an elevator emergency stop device for an elevator cage guided on a guide rail, comprising a wedge-shaped element movable relative to the elevator cage to effect an emergency stop of

Art Unit: 3652

the cage by frictional force by means of a contact face of a sliding part (1), Fig. 1, thereof being pressed against the guide rail (4), wherein the wedge shaped element comprises a fixed part (bracket 2) and a movable part (1), the movable part being movable relative to the fixed part in a direction having a component parallel to the guide rail, such that a dimension of the wedge shaped element in the direction perpendicular to the contact face is changed in accordance to the breaking force to maintain the breaking force at a substantially constant level.

Re claim 6 and 11, a resilient element (6, 10) disposed between the movable part 1 and the fixed part 2.

Re claim 10, the movable part is movable relative to the fixed part in an oblique direction relative to the guide rail.

being pressed against the guide rail 4, wherein the wedge shaped element comprises a mechanism 6, 10

Allowable Subject Matter

Claims 2-5 are allowed.

Claims 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed August 5, 2004 have been fully considered but they are not persuasive.

Applicant argues that the DE '917 shows a wedge block (a) having a recess. Thus any movement of system (b) relative to wedge block (a) is in a direction perpendicular to the guide rail. It is agreed that the wedge block (a) moves into the recess. However, the wedge block also moves relative to the fixed part (b) in a direction having a component parallel to the guide rail that is along the incline surface via elements (l).

Applicant argues that the SU '503 does not show a wedge shaped element having a fixed part and a movable part. SU '503 shows a movable part (1) and a fixed part (bracket 2).

Art Unit: 3652

Applicant's arguments with respect to Sissala reference have been considered but are moot since the Sissala has been withdrawn in view of the amendment.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy v. Tran whose telephone number is 703-308-2558. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on 703-308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVT (TVT)


EILEEN D. LILLIS
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